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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/676,544	09/29/2000	Georgios Chrysanthakopoulos	03797.85750	2723

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EXAMINER

FLYNN, KIMBERLY D

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/676,544

Applicant(s)

CHRYSANTHAKOPOULOS ET AL

Examiner

Kimberly D Flynn

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2-3 and 5</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5-11, 13-15, 17-18, 20-21, and 23-25 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Warchol et al. (U.S. Patent No. 5,652,837).

In considering claims 1, 5, 8, and 18, Warchol discloses a method for remotely managing a computer coupled to a communication bus, the method comprising:

receiving a management command from a first device via a communication bus
(col. 6, lines 58-67);

identifying one or more authorized management devices based on the one or more authorized management devices being connected, via a communications bus, to a first port of the computer; determining whether the first device is one of the one or more authorized management devices, executing the management command (col. 8, lines 14-32).

In considering claims 2, 6, 10, 14, 17 and 23-24, Warchol discloses providing, via the communication bus, data to at least one device coupled to the communication bus in response to the step of executing the management command (col. 8, lines 51-57).

In considering claims 3, 7, 11, 15, and 25, Warchol discloses the method further comprising:

receiving another management command from a second device via the communications bus; determining when the second device is not one or more authorized management devices(col. 8, lines 14-32); and when the second device is not of the one or more authorized management devices, ignoring the other management command (col. 8, lines 32-36).

In considering claim 9, Warchol discloses wherein the step of identifying is performed subsequent to a reset of a communication bus (col. 8, lines 43-50).

In considering claim 20, Warchol discloses wherein the management device is another computer (see Fig. 1, 10).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 12, 16, 19, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Warchol.

In considering claims 16 and 19, the limitations of these claims are substantially the same as those previously rejected in claims 1 and 8, therefore the same grounds of rejection is applicable. However, while the system disclosed by Warchol teaches using an IEEE 896 future+ bus, it fails to disclose wherein the bus interface is an IEEE 1394 interface. Nonetheless, the use

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of a serial bus such as the IEEE 1394 Standard bus instead of a parallel bus is well known in the art. The Futurebus+, which is based on the 1994 Futurebus+ standard, is a dead bus whose features and concepts have been added to other more up-to-date designs such as the IEEE 1394 (Futurebus+ Abstract, page 6-7).

Some of the advantages of using a serial bus instead of a parallel bus include: Increased fault tolerance due to a redundant path, increased isolated and diagnosed errors, and lower cost (\$ Standard for a High Performance Serial Bus, page2). It would have been obvious to a person having ordinary skill in the art to modify the system as disclosed by Warchol to include a IEEE 1394-compliant serial bus in order to have a powerful and low cost peripheral interconnect that allow bandwidths comparable with existing I/O interconnect standards. The serial bus also has the advantage of architectural compatibility with parallel computer buses that leads to lower communication overhead. Therefore, the aforementioned limitations would have been obvious modifications.

In considering claims 4, 12, and 22, the limitations of these claims are substantially the same as those previously rejected in claims 16 and 19, therefore the same grounds of rejection is applicable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D Flynn whose telephone number is 703-308-7609. The examiner can normally be reached on M-F 8:30 - 5:00.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimberly D Flynn
Examiner
Art Unit 2153

KDF



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